

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN FRANCIS HUTCHENS,
Plaintiff,
v.
ALAMEDA COUNTY, et al.,
Defendants.

Case No.: 4:11-cv-06478-YGR

**ORDER DISMISSING PLAINTIFF'S
COMPLAINT AGAINST DEFENDANTS
ALAMEDA COUNTY AND COUNTY OF
ALAMEDA SHERIFF'S FOR FAILURE
TO PROSECUTE ACTION**

On April 23, 2012, Defendants Alameda County and County of Alameda Sheriff's filed a Motion to Dismiss First Amended Complaint Pursuant to F.R.C.P. 12(b)(6). (Dkt. No. 24.) Plaintiff's opposition was due on May 10, 2012. Civ. L.R. 7-3 & 5-5(a)(2). The hearing on the Motion to Dismiss, which had been re-set by the Court, is currently scheduled for June 19, 2012. (Dkt. No. 25.)

After failing to file any opposition, the Court, on May 15, 2012, ordered Plaintiff to respond to the Motion to Dismiss by May 29, 2012, or face dismissal of the action for failure to prosecute. (Dkt. No. 25.) To date, Plaintiff has failed to respond. Because Plaintiff has failed to prosecute this lawsuit, Plaintiff's complaint against Defendants Alameda County and County of Alameda Sheriff's is **DISMISSED WITHOUT PREJUDICE**.

This Order terminates Docket No. 24 and **VACATES** the June 19, 2012 hearing.

IT IS SO ORDERED.

Dated: June 1, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE